

EISENBERG & SCHNELL LLP
ATTORNEYS AT LAW

BY ECF

June 15, 2023

HERBERT EISENBERG
LAURA S. SCHNELL

Honorable Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square, Courtroom 518
New York, New York 10007

Re: Charlotte Bennett v. Andrew M. Cuomo, et al., 22 CC 7846 (VSB)

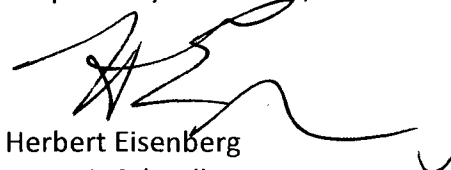
Dear Judge Broderick:

We represent Plaintiff Charlotte Bennett in the above listed matter and write in response to Defendant Cuomo's letter suggesting that the service of discovery on him was somehow inappropriate and unauthorized.

Implicit in this Court's opinion (Docket 69) denying Defendants' motion to stay discovery, is that service of discovery is both appropriate and authorized. Plaintiff has waited months before serving these discovery requests. While Plaintiff joins in a request for a Rule 16 conference, not having held such conference does not preclude the service of our discovery requests on a party.

Defendant Cuomo inappropriately travels a wide detour casting aspersions upon Plaintiff Bennett's credibility. Assertions of a "history of untruthfulness" and "believability" are not only inappropriate but are indicative of the great efforts Defendant Cuomo will go to smear Ms. Bennett, a victim of his unlawful conduct. Justice requires a jury to ascertain the truthfulness of Ms. Bennett's allegations, not the perpetrator of sexually harassing conduct. These mischaracterizations surely have no place in correspondence to the Court about scheduling matters.

Respectfully submitted,



Herbert Eisenberg
Laura S. Schnell

Attorneys for Plaintiff Charlotte Bennett

cc: All Counsel of Record (By ECF)

THE WOOLWORTH BUILDING
233 BROADWAY, SUITE 2704
NEW YORK, NEW YORK 10279

PHONE 212.966.8900
FAX 212.966.2505
eisenbergschnell.com